

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

THERMAPURE, INC.,  
§  
§  
vs.  
§  
WATER OUT DRYING CORP.      §

CASE NO. 2:06-CV-453

**PARTIAL JUDGMENT**

The parties to this case selected a jury on Tuesday, March 3, 2009. The trial commenced on Monday, March 16, 2009, and the jury reached its verdict on Thursday, March 19, 2009. The jury reached a verdict on inducement of infringement, willfulness, and invalidity, but deadlocked on the amount of damages. In accordance with the jury's verdict, the court renders the following judgment:

The jury having determined that the defendant, Water Out Drying Corp. ("Water Out"), has induced the infringement of claim 6 of United States Patent No. 6,327,812 ("the '812 patent"); the jury having failed to find that such inducement of infringement was willful; and the jury having failed to find that any of the asserted claims are invalid; it is ORDERED, ADJUDGED, AND DECREED that the defendant, Water Out, induced infringement of claim 6 of the '812 patent, and that claim 6 of the '812 patent is not invalid.

SIGNED this 11th day of December, 2009.

  
CHARLES EVERINGHAM IV  
UNITED STATES MAGISTRATE JUDGE